

Joseph A. Camp: 18474-055
CCA Leavenworth Detention
100 Highway Terrace
Leavenworth, Kansas 66048

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI

JOSEPH A. CAMP
plaintiff,

COMPLAINT

-v-

CASE NUMBER:

THE UNIVERSITY OF CENTRAL
MISSOURI
defendant

11-0847-CV-W-DW-P

COMPLAINT FOR INJUNCTIVE RELIEF

- 1) This is an action under the Freedom of Information Act, 5 U.S.C. § 552, for injunctive and other relief as appropriate and seeking the disclosure and release of agency records improperly withheld from plaintiff by defendant, The University of Central Missouri (hereinafter "UCMO").

Jurisdiction and Venue

- 2) This Court has both subject matter jurisdiction over this action and personal jurisdiction over this matter's parties pursuant to 5 U.S.C. § 552(a)(4)(B). This court also has jurisdiction over this action pursuant to 28 U.S.C. § 1331. Venue lies in this district under 5 U.S.C. § 552(a)(4)(B).

- 3) Plaintiff Joseph A. Camp, is a former student at UCMO, who is currently incarcerated as a pretrial detainee at CCA Leavenworth Detention Center, 100 Highway Terrace, Leavenworth, Kansas 66048.
- 4) Defendant UCMO, is the school to wit plaintiff was enrolled between January and December of 2009. It is located at The University of Central Missouri, Office of the President, Warrensburg, Missouri 64093.

Administrative Remedies and Previous Lawsuits

- 5) Plaintiff has not filed any other lawsuit for the relief requested herein, in either Federal or State Courts.
- 6.) Plaintiff has exhausted all applicable administrative remedies with respects to FOIA request to the defendant UCMO, by the following methods.
- a) In a letter dated May 23rd 2011, plaintiff sought the initial release of documents/records.
 - b) By letter dated May 26th 2011, defendant said they forwarded the request to the United States Attorney's Office, and would reply accordingly when the U.S.A. is consulted and replies to the defendants.
 - c) By a letter dated June 30th 2011, (defendant never replied), Plaintiff appealed the denial of the release of records, and the decision to seek prosecutorial permission.
 - d) By a letter dated July 8th 2011, defendant agreed to "process" the appeal.
 - e) By a letter dated July 14th 2011 defendant denied the request in its entirety.

Defendants Denial and Reasons Given is Arbitrary and Capricious.

- 7) Defendant initially did not deny jurisdiction under FOIA, in their first two letters.
- 8) Defendant releases documents pursuant to FOIA when any other student makes such a request.
- 9) Defendants UCMO, has wrongfully withheld the requested records from Plaintiff.

Defendants Denial is Intended to Frustrate Plaintiffs Attempts at a Fair Trial

- 10) Defendants mere assertion and claim that plaintiff has a pending Federal Criminal Indictment does not grant them immunity from the provisions of FOIA.
- 11) Defendants may be unaware that the FOIA and privacy act, allows that - paradoxically - the records can be withheld if it would prevent someone from getting a fair trial. In this matter, the withholding of the records would prevent the Plaintiff from receiving a fair trial.
- 12) The United State Attorneys Office need not be consulted before a decision to release allowable records is made. Indeed, in many instances involving the UCMO the U.S.A.'s Office is never consulted.
- 13) The Defendants UCMO has wrongfully withheld the requested records from plaintiff.

Plaintiff is the Owner of the Records

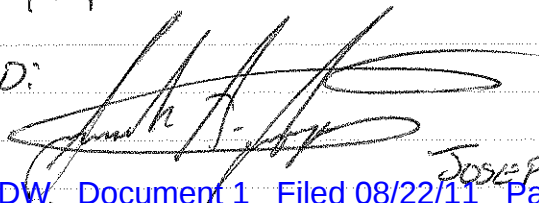
- 14) Plaintiff sought records with respect to his enrollment at the University of Central Missouri. Many, or all of them, contain financial and otherwise proprietary information that belongs to plaintiff.
- 15) Defendants had no problems disseminating personal identification, and confidential information about Plaintiff to law enforcement agents, though Plaintiff has asked and issued a cease and desist letter barring them from doing so.
- 16) Plaintiff is the owner of his name, social security number and other biometric material, data, and the University's denial to release said material to Plaintiff is identification theft.
- 17) The Defendant UCMO has wrongfully withheld the requested documents and records, from plaintiff

Requested Relief

WHEREFORE, plaintiff prays that this Court:

- a) order defendants to disclose the requested records in their entireties and make copies available to plaintiff;
- b) provide for expeditious proceedings in this action;
- c) award plaintiff its costs and attorneys fees (I represent myself at \$150⁰⁰ an hour for a total of 10 hours or \$1,500⁰⁰.) incurred in this action; and
- d) grant such other and further relief as this Court deems just and proper

RESPECTFULLY SUBMITTED:



JOSEPH A. CAMP #18474-QSS

TABLE OF EXHIBITS

Exhibit Number:	Exhibit Name:
1)	Freedom of Information Request
2)	Reply to Freedom of Information Request
3)	Administrative Appeal of Freedom of Information Request
4.)	Reply to Administrative Appeal of Freedom of Information Request
5.)	Final letter of denial of Freedom of Information Request.

Exhibit Number One

Freedom of Information Request

Dated: May 23rd. 2011

(on file at the University of Central Missouri
and the Federal Public Defenders Office
in the Western District of Missouri
attorney Bill Raymond.)

Exhibit Number Two

Reply to Freedom of Information Request

Dated: May 26th. 2011



Office of the President
Administration 202
Warrensburg, MO 64093
Office 660-543-4112
FAX 660-543-8020

May 26, 2011

Joseph A. Camp (#18474-055)
CCA Leavenworth Detention Center
100 Highway Terrace
Leavenworth, Kansas 66048

Dear Joseph:

In response to your request for records, dated May 23, 2011, due to the pending indictment and related litigation, we have forwarded your request to the U.S. Attorney's office for consideration. Once we receive a response from them, we will get back to you regarding your request.

Sincerely,

Monica R. Huffman
Custodian of Records

Exhibit Number Three

Administrative Appeal of Freedom of Information Request

Dated: June 30th. 2011

Joseph A. Camp #18474-055
C.A. Leavenworth
100 Highway Terrace
Leavenworth, Kansas 66048

Monica R. Hoffmann
Custodian of Records
University of Central Missouri
Office of the President, Admin 202
Warrensburg, Missouri 64093

June, 30, 2011

Monica,

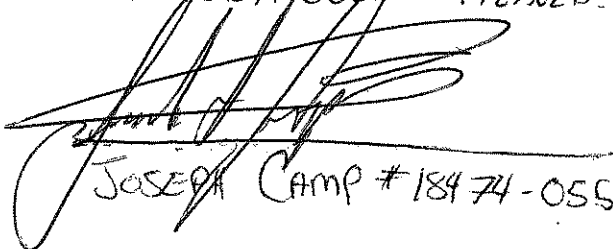
Re: Appeal of F.O.I.A/P.A. denial.

This is an appeal under Freedom of Information Act, Privacy Act, and State of Missouri Laws governing release of information. On May, 23rd 2011, I made a F.O.I.A/P.A. request to your school, for documents enumerated in said request. On May 26, 2011 your school denied my request under the auspices of pending Criminal litigation.

Please be informed that, I consider the requested material clearly releasable under the above statutes, and consider your school's decision to be purposefully evading a legitimate request to avoid exposure, and the policy of seeking Federal Prosecutorial Permission Arbitrary and Capricious.

I expect that upon reconsideration, you will reverse the decision to deny my request. However, if you do deny this appeal, I intend to file a lawsuit to compel disclosure.

RESPECTFULLY APPEARED.



JOSEPH CAMP #18474-055

cc: self

Exhibit Number Four

Reply to Administrative Appeal of Freedom of Information Request

Dated: July / 8 /2011



Office of the President
Administration 202
Warrensburg, MO 64093
Office 660-543-4112
FAX 660-543-8020

July 8, 2011

Joseph A. Camp (#18474-055)
CCA Leavenworth Detention Center
100 Highway Terrace
Leavenworth, Kansas 66048

Dear Joseph:

This acknowledges receipt of your letter dated June 30, 2011, appealing a request for records that you originally made in a letter received on May 23, 2011. Your request of June 30 is being processed and a response will be made once I am able to obtain the necessary information to do so.

Sincerely,

Monica R. Huffman
Custodian of Records

EXHIBIT NUMBER FIVE (5)

Final letter of denial of freedom of information request
dated: July 14, 2011



Office of the President
Administration 202
Warrensburg, MO 64093
Office 660-543-4112
FAX 660-543-8020

July 14, 2011

Joseph A. Camp (#18474-055)
CCA Leavenworth Detention Center
100 Highway Terrace
Leavenworth, Kansas 66048

Dear Mr. Camp:

I am writing in response to your recent request for documents under the Freedom of Information Act (FOIA) and under Missouri Revised Statutes Sections 190.180-190.190. In that regard, the University as a State Public Institution is not subject to the FOIA and your referenced Missouri statutes are subject to the State's open meetings and records law. The documents you are seeking may be produced to you through the judicial discovery process in coordination with the U.S. Attorney's office, in connection with the pending indictment against you in the United States District Court for the Western District of Missouri; otherwise they are records relating to a legal action involving the University and are closed.

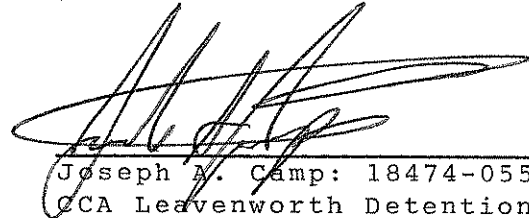
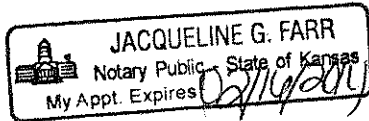
Sincerely,

Monica R. Huffman
Custodian of Records

DECLARATION UNDER PENALTY OF PERJURY

The undersigned declares under penalty of perjury that he is the plaintiff in the above action, that he has read the above complaint and that the information contained therein is true and correct to the best of his knowledge. 28 U.S.C. Section 1746.
18 U.S.C. Section 1621.

Executed at Leavenworth Detention Center, 100 Highway Terrace,
Leavenworth, Kansas 66048, on the 20 day of July 2011.

A handwritten signature in black ink, appearing to be "Joseph M. Camp", written over a horizontal line.

Joseph M. Camp: 18474-055
OCA Leavenworth Detention
100 Highway Terrace
Leavenworth, Kansas 66048

Sworn to before me this
20th day of July 2011.



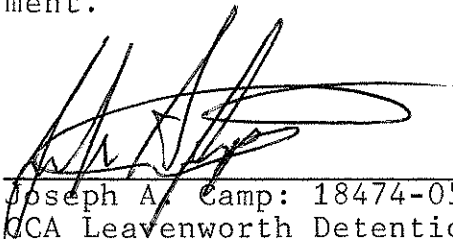
Jacqueline G. Farr
NOTARY PUBLIC, State of Kansas

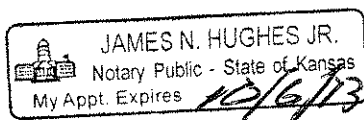
AFFIDAVIT OF IDENTIFICATION OF INCARCERATED PERSONS

I swear under penalty of perjury that the following information is true and correct, and that the following information is identification information for me, and that I have furnished proof of my identification to a Notary Public and that because of my status of "inmate" I am unable to furnish photo identification to your agency as proof of who I am, because of the rules of the correctional institution that I am incarcerated at. However in the event that further information is required to verify my identity, a request to the warden by mail will suffice, his mailing address is the same as the affiant.

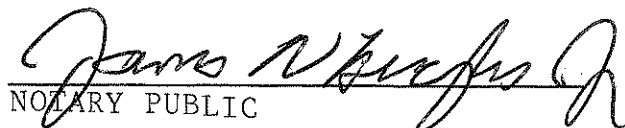
My name is : Joseph A. CAMP
My inmate number is : 18474-055
My Social Secerity Number is : 441-86-6388
My Current Address is : Joseph A. Camp: 18474-055
CCA Leavenworth Detention
100 Highway Terrace
Leavenworth, Kansas 66048
My date of birth is : May. 28th. 1984
My place of birth is : Saint Joseph, Missouri

I declare under penalty of perjury that under the laws of the United States of America that the foregoing is true and correct and that I am the person above named, and I understand that any falsification of this statement is punishable under the provisions of 18 U.S.C. Section 1001 by a fine and/or imprisonment.


Joseph A. Camp: 18474-055
CCA Leavenworth Detention
100 Highway Terrace
Leavenworth, Kansas 66048



Sworn to before me this
7 day of July, 2011.


NOTARY PUBLIC

Joseph A. Camp #18474-055
CCA Leavenworth Detention Center
100 Highway Terrace
Leavenworth, Kansas 66048

POST OFFICE
301 E. 10th St. Rm 102
Kansas City, MO 64102



To: Clerk's Office
United States District Court
Western District of ~~Missouri~~ Missouri,
400 E. Ninth Street
Kansas City, Missouri 64106

Envelope 1 of 2
Original
Plus
1 copy (of 3 copies)

Indigent

RECEIVED BY
U.S. MARSHALS